IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

WRIT PETITION NO : 20303 of 1994

Between:

1 Dadi Suryanarayana, S/o Adiyya,
R/o Chodavaram, Visakhapatnam Dist, O/o M/s Chodavaram

Cooperative Sugar Factory,
Chodavaram.
2 Allam Ramana, S/o Ramulu,
R/o Chodavaram, Visakhapatnam Dist, O/o M/s Chodavaram

Cooperative Sugar Factory,
Chodavaram.
3 Adari Apparao, S/o Achinaidu,
R/o Chodavaram, Visakhapatnam Dist, O/o M/s Chodavaram

Cooperative Sugar Factory,
Chodavaram.
4 Dadi Durga Rao, S/o Nukaiah,
R/o Chodavaram, Visakhapatnam Dist, O/o M/s Chodavaram

Cooperative Sugar Factory,
Chodavaram.
5 Majji Arjun Rao, S/o Pothuraju,
R/o Chodavaram, Visakhapatnam Dist, O/o M/s Chodavaram

Cooperative Sugar Factory,
Chodavaram.
6 S. Appala Raju, S/o Rama Raju,
R/o Chodavaram, Visakhapatnam Dist, O/o M/s Chodavaram

Cooperative Sugar Factory,
Chodavaram.

..... PETITIONER(S)

AND

1 The Commissioner & Director of Sugar,
Hyderabad.
2 The Chodavaram Cooperative Sugar Factory Rep by Managing

Director, Chodavaram (M), Visakhapatnam Dist.
3 Sri S.M. Ahmed
Chodavaram Cooperative Sugar Factory, Chodavaram (M),
Visakhapatnam Dist.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or Mandamus or any other appropriate writ or order or Direction, directing the respondents to absorb the petitioners in the existing permanent vacancies of Boiler Firemen in the Engineering Department in the 2nd respondent unit by declaring the order passed by the 1st respondent in his proceedings No.RD 2055/91/G1 dated 1.3.91 transferring the 3rd respondent from NVR Cooperative Sugar Factory, Jampani, Guntur Dist to the Chodavaram Cooperative Sugar Factory, Chodavaram, Visakhapatnam District as illegal and void and consequently declaring the order passed by the 2nd respondent in his proceedings No.RC.AD/6, dt:28-10-1994 so far as posting the 3rd respondent as Boiler Fireman in the Engineering Department as arbitrary, illegal and unconstitutional.

Counsel for the Petitioner: MR.T.NIRANJAN REDDY, Advocate

For the Respondent No.1: The G.P for Industries

Counsel for the Respondent No.2: MR.E.KALYANRAM, Advocate

Counsel for the Respondent No.3: MR.J.V.Lakshmana Rao, Advocate

The Court made the following :

ORDER:

The Writ Petition is filed with the prayer as follows:

"Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or Mandamus or any other appropriate writ or order or Direction, directing the respondents to absorb the petitioners in the existing permanent vacancies of Boiler Firemen in the Engineering Department in the 2nd respondent unit by declaring the order passed by the 1st respondent in his proceedings No.RD 2055/91/G1 dated 1.3.91 transferring the 3rd respondent from NVR Cooperative Sugar Factory, Jampani, Guntur Dist to the Chodavaram Cooperative Sugar Factory, Chodavaram, Visakhapatnam District as illegal and void and consequently declaring the order passed by the 2nd respondent in his proceedings No.RC.AD/6, dt:28-10-1994 so far as posting the 3rd respondent as Boiler Fireman in the Engineering Department as arbitrary, illegal and unconstitutional".

The second respondent appear to be Co-Operative Society registered under the A.P.Co-Operative Societies Act. Nothing is placed on record to demonstrate that these bodies are amenable to the writ jurisdiction of this Court. In these circumstances, I do not see any reason to proceed in the writ petition.

Hence, the Writ Petition is dismissed. No costs.

_____

2nd September 2004.

ASSISTANT REGISTRAR

To

1 The Commissioner & Director of Sugar,
Hyderabad.
2 The Chodavaram Cooperative Sugar Factory Rep by Managing

Director
Chodavaram (M), Visakhapatnam Dist.

3. Two CCs to the G.P for Industries, High Court of A.P.,

   Hyderabad (OUT)

4. Two CD Copies.